

December 20, 2012

By Federal Express

Honorable Mayor/Supervisor Ron Belmont
and Members of the Town/Village Board
Town/Village of Harrison
1 Heineman Place
Harrison, New York 10528

Re: Morgan Stanley Headquarters
Accessory Solar Facility
2000 Westchester Avenue, Purchase, New York 10577

Dear Mayor/Supervisor Belmont and Members of the Town/Village Board:

We are writing on behalf of our client, MS Harrison, LLC ("Morgan Stanley"), in furtherance of its proposal to construct an accessory ground mounted solar array adjacent to Morgan Stanley's office building located at 2000 Westchester Avenue in Purchase. The project is being proposed by Morgan Stanley to introduce a renewable energy supply at its headquarters. The solar array is expected to produce enough electricity to offset 5% of the building's annual usage and 25% of the building's peak demand. Morgan Stanley's project has the support of New York State through NYSERDA which is contributing capital funds given the energy conservation benefits associated with the solar project.

On December 18, 2012, the Planning Board approved the project and we are informed by the Planning Department that resolutions are currently being prepared and that copies of same will be filed with the Town Clerk shortly. As part of its review, the Planning Board approved an amended special permit for Morgan Stanley's use of the property to include the accessory solar array. Pursuant to Section 235-14 of the Harrison Zoning Code, we are writing to seek confirmation by your Board of the Planning Board's approval of Morgan Stanley's amended special exception use permit.

In furtherance of the foregoing request, enclosed please find ten (10) copies of the following documentation:

1. November 7, 2012 Planning Board application package including exhibits;
2. Purchase Environmental Protective Association ("PEPA") correspondence in support of the project dated November 21, 2012;
3. December 6, 2012 Supplemental Submission to the Planning Board with attachments addressing the Town Planner's memorandum dated November 27, 2012;

Additionally, we enclose ten (10) sets of 11" x 17" size drawings prepared by Tectonic Engineering & Surveying Consultants, P.C., last revised November 6, 2012 detailing the proposed ground mounted solar facility. As set forth in the enclosed materials and as found by the Planning Board, the project has no significant environmental impacts and is well buffered visually given its location in the southwest corner of the property adjacent to the Hutchinson River Parkway, I-287 and the Westchester Avenue on-ramp.

At this time, we respectfully request that this matter be placed on your January 3, 2013 agenda in order to schedule a public hearing for your January 17, 2013 meeting. Thank you in advance for your consideration of this request.

Very truly yours,



Christopher B. Fisher

Enclosures

cc: Morgan Stanley
Phoenix Solar
Tectonic Engineering

part of E-4

**PLANNING BOARD RESOLUTION PB2012/71
DECEMBER 18, 2012**

**SPECIAL EXCEPTION USE RESOLUTION APPROVAL FOR
MORGAN STANLEY – ACCESSORY SOLAR FACILITY
LOCATED AT 2000 WESTCHESTER AVENUE
KNOWN AND DESIGNATED AS
BLOCK 625, LOT 1**

WHEREAS, Morgan Stanley (hereinafter referred to as “The Applicant”) has submitted a Special Exception Use application for property located at 2000 Westchester Avenue, more specifically known and designated as Block 625, Lot 1; and

WHEREAS, the proposed action involves the installation of a ground mounted 821 kilowatt photovoltaic solar array on an approximately 6 acre parcel of land on the west side of the existing Morgan Stanley Global Headquarters, building to provide a source of renewable electricity generation for the site; and

WHEREAS, the subject site is located within the SB-100 Zoning District; and

WHEREAS, Solar Facility is considered a Special Exception Use in the SB-100 Zoning District; and

WHEREAS, in accordance with the SEQRA regulations, the proposed project has been classified as an Unlisted Action.

WHEREAS, on December 18, 2012, the Planning Board, serving as Lead Agency, adopted a Negative Declaration, indicating that the proposed action would not result in any significant adverse impacts.

NOW THEREFORE BE IT RESOLVED, that in accordance with the provision of Section 235-14E, the Planning Board finds that the proposal:

1. Will not prevent or substantially impair either the reasonable and orderly use or the reasonable and orderly development of other properties in the neighborhood. The proposal is not inconsistent with the Master Plan.
2. The disadvantages to the neighborhood from the location of such use at the property are outweighed by the advantage to be gained by either the neighborhood or the Town by authorizing this Special Exception Use Permit.
3. To the extent that the Town has authority to address applicable issues, the health, safety, welfare, comfort, convenience, and order of the Town will not be adversely affected by the use.

4. Such use will be in harmony with, and promote the general purpose and intent of the Special Exception Use provisions established in the Zoning Ordinance.

BE IT FURTHER RESOLVED, that the proposed project complies with Special Exception Use General Considerations established in Section 235-16 of the Zoning Ordinance as follows:

1. The proposal involves the installation of an accessory photovoltaic solar array at the Morgan Stanley Global Headquarters building, to provide a source of renewable electricity generation for the site. The solar array is situated on an existing open southward facing slope, and as such represents a particularly suitable location for such use at the site.
2. The plot area is sufficient, appropriate and adequate for the proposed use. The proposed solar array and associated equipment will comply with all applicable setback requirements.
3. The characteristics of the proposed use are not such that they would interfere with a nearby place of public assembly.
4. No change to existing access facilities is proposed.
5. No change to existing curb cuts is proposed.
6. Emergency access has been adequately addressed, including access between the solar array.
7. No special setbacks are necessary.
10. The provision of public recreational areas is not required on this site.
11. The proposed improvements will have no impact on the site's existing stormwater management system. No impacts are anticipated.
12. The project will not result in any increase in the site's demand on municipal services.
13. The project will not generate excessive amounts of dirt, refuse or any other type of environmental pollution, including vibration, noise, electrical discharges, odors, smoke or irritants. The design of the solar panels takes into account glare and reflections.
14. No special conditions and safeguards apply to this use.

BE IT FURTHER RESOLVED, that this resolution shall have an effective date of December 18, 2012.

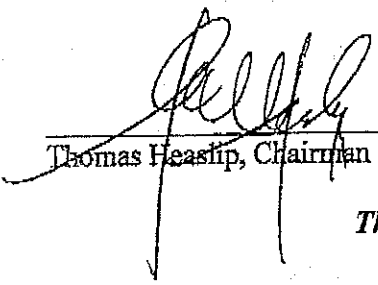
On the motion of Raymond A. Kraus, seconded by Anthony Spano, it was adopted by the following vote:

AYES: Thomas Heaslip, Anthony Spano, Raymond Kraus, Mark Rinaldi, Nonie Reich and Kate Barnwell

NAYS: None

ABSTAINED: None

ABSENT: Marshall Donat


Thomas Heaslip, Chairman

The resolution was thereupon duly adopted.

RECEIVED

2012 DEC 27 PM 2:06

TOWN CLERK
HARRISON, N.Y.